

Applicants : Tony M. Pokorzynski et al.
Appln. No. : 09/074,288
Filing Date : May 7, 1998
Confirmation No. : 1982
Page : 3

REMARKS

Claims 1 and 6 have been amended. Claims 1-4 and 6-10 are pending in the application.

A marked-up version of the amended claims showing the changes from the previous version of the claims is attached hereto, with additions underlined.

It is respectfully submitted that entry of the above amendments is appropriate and desirable, as the amendments emphasize the differences between the invention and the prior art.

Prior Art Rejections

Claims 1-4 and 6-10 were rejected under 35 U.S.C. §102(b) as being anticipated by Rohrlach et al. (U.S. Patent No. 5,082,609).

Rohrlach et al. fail to teach or suggest the invention as currently claimed. Rohrlach et al. does not teach or suggest a trim panel having a polyurethane foam bonded to a fiber reinforcing layer. To the contrary, Rohrlach et al. teach a fiber reinforcing mat located entirely within a rigid polyurethane layer, not within or bonded to the foam layer. The Rohrlach et al. patent expressly teaches a process wherein the fiber glass "is impregnated . . . by a further two pot mix of mouldable polyurethane . . . , the polyurethane however not being elastomeric . . . but being of a material which sets to become rigid after it has embodied the fibers of the glass sheet 24." See column 3, lines 10-16 of the Rohrlach et al. patent.

The Rohrlach et al. patent only describes layer 12 as being a cellular or foam material, and does not teach or suggest that rigid polyurethane layer 11 is or could be a foam material. Further, it is respectfully submitted that those having ordinary skill in the art would not find motivation in the teachings of Rohrlach et al. for replacing the rigid structural substrate 11 with a foam material.

Applicants : Tony M. Pokorzynski et al.
Appln. No. : 09/074,288
Filing Date : May 7, 1998
Confirmation No. : 1982
Page : 4

Because the rigid polyurethane described by Rohrlach et al. embodies the glass sheet 24, molded foam material layer 12 does not extend "between said upholstery skin material and said [porous] substrate" or bond "said skin material to said porous substrate" as required by the claims. Further, Rohrlach et al. do not suggest these requirements.

Accordingly, it is respectfully submitted that the rejection based on the teachings of Rohrlach et al. are now inappropriate and should be withdrawn.

Claims 1-4 and 6-10 were rejected under 35 U.S.C. §102(b) as being anticipated by Takeuchi et al. (U.S. Patent No. 5,180,617).

The Examiner has taken the position that the claims did not exclude an interior trim member wherein the fibrous reinforcement is embedded within the molded foam as taught by Takeuchi et al. Applicant disagrees. The claims require that the molded foam material extend between the upholstery skin material and the substrate, and bond the skin material to the substrate. A substrate is a substratum, which is defined as "a base for something else," i.e., a foundation. See the attached page 2280 of *Webster's Third New International Dictionary Of The English Language Unabridged*, G. & C. Merriam Company, Springfield, Massachusetts, 1971. Although one would not normally expect that a material used to bond two other materials together would encompass one of the two other materials, it would not be consistent with the ordinary usage of the English language to say that a material that extends between and bonds a facing to a substrate could encompass the substrate. The Applicants have not given the word "substrate" a special meaning that is inconsistent (perhaps repugnant) with its ordinary usage. In this regard, note that the claims are directed to the embodiment of Fig. 1 wherein fiber reinforcement mat 16 is alternatively described as a substrate, not the embodiment of Fig. 7, wherein fibrous mat 16', which is encompassed by the polyurethane foam material 14', is not alternatively described as a substrate. This distinction (inherent in the claims prior to the amendment) has been further emphasized by the added language reciting that the "porous substrate is held to a side of the trim piece that is opposite of the upholstery skin material."

Applicants : Tony M. Pokorzynski et al.
Appln. No. : 09/074,288
Filing Date : May 7, 1998
Confirmation No. : 1982
Page : 5

Because a substrate cannot be embedded in (i.e., completely encompassed by) a material extending between a skin material and the substrate, and bonding the skin material to the substrate, the fibrous material 1 of Takeuchi et al. cannot be regarded as a substrate.

Porous sheet material 9 is not completely encompassed by foam material 3, and therefore could be regarded as a porous substrate. However, porous sheet material 9 and upholstery skin material 7 are not substantially coextensive as required by the claims. Further, Takeuchi et al. does not suggest that porous sheet material 9 should be coextensive with the upholstery skin material. To the contrary, Takeuchi et al. teach against sheet material 9 being coextensive with the upholstery skin. The purpose of upholstery skin material 9 is to prevent lifting of fiber reinforcement away from the facing when the mold used to form the interior finishing panel is closed. Takeuchi et al. teach that fibrous material 1, which is substantially coextensive with upholstery skin 7, pulls away from the convex portions of the panel when the mold is closed, which in turn causes voids to form between the fibrous material and the upholstery skin, whereby peeling of the upholstery skin from base 3 may result during thermal cycling. Takeuchi et al. teach that the porous sheet material 9 is placed only in the convex areas of the part to force material 1 toward the convex section 7. Those having ordinary skill in the art would understand that the object of the Takeuchi et al. invention would not be achieved if sheet material 9 was coextensive with upholstery skin 7 since this would be essentially the same as using a thicker layer of reinforcing material 1, with the result being that both coextensive layers are pulled away from the skin layer at the convex sections of the part when the mold is closed. Accordingly, those having ordinary skill in the art would not be motivated to modify the teachings of Takeuchi et al. so that the porous sheet materials 9 are substantially coextensive with the upholstery skin layer 7.

Therefore, it is respectfully submitted that Takeuchi et al. does not teach or suggest the claimed invention, such that withdrawal of the rejection is appropriate.

Applicants : Tony M. Pokorzynski et al.
Appln. No. : 09/074,288
Filing Date : May 7, 1998
Confirmation No. : 1982
Page : 6

Rejection Under 35 U.S.C. §112, First Paragraph

Claims 1-4 and 6-10 were rejected under 35 U.S.C. §112, first paragraph, on grounds that they contain subject matter which was not described in the specification in such way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. Specifically, the Examiner has stated that the specification fails to teach that the upholstery skin material is substantially coextensive with the substrate.

It is respectfully submitted that while the specification does not expressly state that the substrate is substantially coextensive with the skin material, Fig. 1 clearly shows that substrate 16 and upholstery skin layer 12 are substantially coextensive. The substantial coextensiveness of substrate 16 with upholstery skin layer 12 is also shown in Fig. 3. Applicant does not disclose or even suggest an embodiment wherein the fibrous reinforcing material 16 and the upholstery sheet material layer are not substantially coextensive. In fact, with respect to the embodiment shown in Fig. 7, the specification expressly states, at page 8, lines 18-19, that semi-rigid polyurethane foam material 14' serves as a "foam separation layer between all portions of skin 12 and reinforcement mat 16." Thus, those having ordinary skill in the art would understand from the drawings and specification that Applicants contemplated a vehicle trim piece having a porous substrate bonded to an upholstery skin material by a molded foam material, wherein the porous substrate and the upholstery skin material are substantially coextensive. Therefore, it is respectfully submitted that the rejection under 35 U.S.C. §112, first paragraph, should be withdrawn.

Applicants : Tony M. Pokorzynski et al.
Appln. No. : 09/074,288
Filing Date : May 7, 1998
Confirmation No. : 1982
Page : 7

CONCLUSION

In view of the above amendments and remarks, is it respectfully submitted that the application is in condition for allowance and notice of the same is earnestly solicited.

Respectfully submitted,

TONY M. POKORZYNSKI ET AL.

By: Price, Heneveld, Cooper,
DeWitt & Litton

August 21, 2001
Date

GJE/daw
JCI01 P-1010

Gunther J. Evanina
Gunther J. Evanina
Registration No. 35 502
695 Kenmoor, S.E.
Post Office Box 2567
Grand Rapids, Michigan 49501
(616) 949-9610

Applicants : Tony M. Pokorzynski et al.
Appln. No. : 09/074,288
Filing Date : May 7, 1998
Confirmation No. : 1982
Page : 8

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

Claims 1 and 6 have been amended as follows:

1. (Fourth Amend) An integrated interior trim member for a vehicle comprising:
 - a porous substrate;
 - an upholstery skin material, said upholstery skin material being substantially coextensive with said substrate; and
 - a molded foam material extending between said upholstery skin material and said substrate, said molded foam material bonding said skin material to said porous substrate, whereby said porous substrate is held to a backside of the trim piece that is opposite of the upholstery skin material.

6. (Fourth Amend) An integral interior trim member for a vehicle comprising:
 - an upholstery skin material, said upholstery skin material being substantially coextensive with said substrate;
 - a molded foam layer bonded to said upholstery skin material; and
 - a porous substrate bonded to said molded foam layer, said molded foam layer extending between said upholstery skin material and said porous substrate, whereby said porous substrate is held to a side of the trim piece that is opposite of the upholstery skin material.



WEBSTER'S
THIRD
NEW INTERNATIONAL
DICTIONARY

CAMBRIDGE

